

SENATE CHAMBER, }
 SATURDAY, February 21, 1846. }

Senate met, pursuant to adjournment, roll called, and a quorum not being present, the Sergeant at arms was despatched after absent members: returned, and a quorum present.

Journals of the preceding day read, and adopted.

Senator Grimes presented the petition of C. McAnelly, contesting the seat of the Hon. Isaac W. Brashear, Senator from Harris county, which being read—on motion, was referred to the committee on Privileges and Elections.

Senator Parker, Chairman of select committee appointed to wait upon the Lieutenant Governor *elect*, reported duty performed, and that he appointed Monday at 11 o'clock, to take the oath of office.

On motion of Senator Jewett, the Senate proceeded to the

ORDERS OF THE DAY.

A bill, to be entitled, an act to provide for the election of two Representatives to the United States Congress—read 2d time by its caption, and on motion, referred to a select committee, composed of Senators Scott, Jewett, Wallace and McNeel.

A bill, to be entitled, an act creating the county of Leon: Read a 2d time, and referred to the committee on County Boundaries.

A bill, to be entitled, an act to promote the methodical transfer of the principal affairs of the Republic of Texas, to the proper authorities of the State of Texas; read 2d time, and passed to a third reading.

Resolution, appointing a committee of seven, whose duty it shall be to inquire into the expediency of re-organizing the several Judicial Districts, and requesting the Governor to postpone the nomination of District Judges; adopted.

A bill, to be entitled, an act to postpone the holding of the courts in the several Judicial Districts; read 2d time and referred to the committee on the Judiciary.

On motion of Senator Brashear, Senator Wood was added to the committee on the Judiciary.

On motion of Senator Phillips, Senator Jewett was added to the committee on the Judiciary.

A bill, to be entitled, an act to divide the State into Congressional Districts; read 2d time, and on motion, referred to a

select committee, composed of Senators Jewett, Scott, Wallace, McKinney and McNeel.

A bill, to be entitled, an act to provide for the election of Representatives to the Twenty-ninth Congress of the United States; read 2d time, and on motion, referred to the above select committee.

A bill, to be entitled, an act ceding to the United States, jurisdiction over all forts and arsenals, &c.; read 2d time, and referred to the committee on Military Affairs.

Senator Williams, introduced a bill, to be entitled, an act creating the county of Dallas. Read 1st time.

A message from the House, through James H. Raymond, Chief Clerk, inviting the Senate to meet the House in their Hall, on Tuesday the 24th inst., at 10 o'clock, A. M. for the purpose of electing by joint ballot, a State Treasurer, and Comptroller of Public Accounts.

Senator Wallace, Chairman of select committee, to whom was referred a bill, to be entitled, an act to authorize the Governor to transfer to the United States, all the public property belonging to the Republic of Texas, reported a substitute for the bill, and recommended its passage; substitute adopted, and ordered to be engrossed.

Senator Kinney offered the following resolution:

Resolved, That a special committee of three, be appointed by the Senate, to confer with a like committee on the part of the House, to inquire and report to this body, as soon as practicable, why the election returns for Governor and Lieutenant Governor, have not been received by the Legislature. Adopted.

Senators Kinney, Williams and Wallace, were appointed said committee.

Senator Cuney introduced a bill, to be entitled, an act to authorize the Governor to appoint a private Secretary. Read 1st time.

On motion of Senator Jewett, the Senate took recess until half past 10 o'clock.

The recess having expired, the Senate was called to order, roll called, and a quorum present.

A message from the House, through its Chief Clerk, James H. Raymond, informing the Senate, that the House had concurred in the resolution of the Senate, relative to the election returns for Governor and Lieutenant Governor, with the follow

ing amendment—and that the committee report at 3 o'clock P. M. this day.

Amendment concurred in:

On motion of Senator Wallace, Senators Parker, and Grimes, were added to the select committee; of which Senator Jewett is Chairman.

On motion of Senator Parker, the Senate proceeded to the Representative Hall, for the purpose of electing two Senators to represent this State in the United States Congress, by joint ballot of both Houses.

IN JOINT SESSION.

The roll being called, and a full Senate:

Senator Parker nominated Gen. Sam. Houston, and Gen. Thomas J. Rusk.

The Senators voting for Gen. Sam. Houston, were Senators Bagby, Bourland, Brashear, Cuney, Grimes, Hogg, Jewett, Kinney, McKinney, McNeel, Miller, Navarro, Parker, Robinson, Scott, Wallace, Williams, Williamson and Wood—19.

The Senators voting for Gen. Thomas J. Rusk, were Senators Bagby, Bourland, Burleson, Grimes, Hogg, Jewett, Kinney, McKinney, McNeel, Miller, Navarro, Parker, Phillips, Robinson, Scott, Wallace, Williams, Williamson and Wood—19.

The Senators voting for James Love, were Senators Burleson, and Phillips—2.

The vote of the House was announced as follows:

Gen. Sam. Houston received 50 votes; Gen. Thomas J. Rusk received 51 votes; James Love received 2 votes; H. G. Runnels received 2 votes; Gen. M. Hunt received 1 vote; James B. Miller received 1 vote.

Whereupon, the Speaker announced that Gen. Sam. Houston, and Gen. Thomas J. Rusk, having received the highest number of votes, were duly and constitutionally elected Senators to represent this State in the United States Congress, for the next six years.

On motion, the Senate retired to their Chamber: roll called, and a quorum present.

Senator Cuney offered the following resolution:

Resolved, By the Legislature of the State of Texas, that the Governor be, and is hereby, requested to deliver the proper credentials to the Hon. Sam. Houston, and the Hon. Thomas J. Rusk, Senators elected to represent this State in the Senate of the United States.

Resolved further, That the Governor be authorized to forward them by express. Adopted.

Senator Williamson moved, that the Senate stand adjourned until Monday 10 o'clock P. M.,—lost.

On motion of Senator Bourland, the Senate adjourned until 2 o'clock P. M.

2 O'CLOCK P. M.

Senate met, roll called, and a quorum present.

Senator Scott, Chairman of the committee on Engrossed and Enrolled Bills, made the following report:

COMMITTEE ROOM, }
February 21, 1846. }

To the Honorable the President of the Senate:

The committee on Engrossed and Enrolled Bills, have examined a bill, to be entitled, an act authorizing the Governor of the State of Texas to cede and transfer to the United States, all the property of what description soever, embraced in and contemplated by the joint resolution of both Houses of the United States Congress, approved March 1st, 1845, and the 8th section of the 13th article of the Constitution of the State of Texas, and find the same correctly engrossed.

WM. T. SCOTT, *Chairman*.

A message from the House, through Mr. James H. Raymond, Chief Clerk, informing the Senate that the House had concurred in their resolution, authorizing the Governor to transmit the credentials of the Hon. Sam. Houston, and the Hon. Thos. J. Rusk, United States Senators,—and that the House had refused to concur in the resolution to go into the election of Public Printer.

On motion of Senator Wallace, a committee of three were appointed, to act in conjunction with a like committee on the part of the House, for the purpose of drafting joint rules for the government of both Houses of the Legislature. Senators Wallace, Cuney and Kinney, were appointed said committee.

Senator Phillips offered the following resolution:

Resolved, That the committee be instructed to contract for the Job printing of the Senate, during the present session. Adopted.

A message from His Excellency the Governor, through Stephen Z. Hoyle, transmitting the following communication:

EXECUTIVE DEPARTMENT, }
City of Austin, Feb. 21, 1846. }

To the Honorable the Senate :

The Executive respectfully submits to the Honorable Senate, the following nominations :

Hon. John Hemphill, Chief Justice Supreme Court.

Hon. A. S. Lipscomb, Associate Justice Supreme Court.

Hon. R. T. Wheeler, " " " "

J. PINCKNEY HENDERSON.

EXECUTIVE DEPARTMENT, }
City of Austin, Feb. 21, 1846 }

To the Honorable the Senate :

The Executive respectfully submits for the advisement and consent of your Honorable body, the nomination of Volney E. Howard, as Attorney General for the State of Texas.

J. PINCKNEY HENDERSON.

Senator Williams offered the following resolution :

Resolved, By the Legislature of the State of Texas, that the committee on Internal Improvements, of the two Houses of the Legislature, draft a memorial, praying the Congress of the United States, to make appropriations for the removal of obstructions in the navigation of the Red, Trinity, Angelina, Sabine, Brazos and Colorado, rivers.

On motion, the resolution was laid on the table.

Senator Kinney, Chairman of the select committee, made the following report :

The select committee, appointed to make examinations why the election returns were not received by the Legislature, beg leave to report, that they have found in the State Department, the returns of Fannin county, and that the said returns have been forwarded to the Speaker of the House of Representatives, accompanied by a communication from the Secretary of State, and recommend the reading of the returns, and the communication, for the further information of the Senate.

H. L. KINNEY, *Chairman*.

On motion of Senator Williamson, the report was laid on the table.

Senator Williamson moved the Senate adjourn until Monday, 10 o'clock A. M.—Lost.

On motion of Senator Hogg, the Rev. Mr. Thrall was allowed the use of the Senate Chamber, for the purpose of holding divine service, on Sabbath :

On motion of Senator Bagby, the Senate adjourned until Monday, 9 o'clock A. M.

SENATE CHAMBER, }
 MONDAY, February 23, 1846. }
 10 o'clock, A. M.

Senate met pursuant to adjournment—President *pro tem.* in the Chair, roll called and a quorum present—

Journals of the preceding day, read and adopted.

Senator Parker offered the following resolution :

Resolved, That the committee on the Judiciary, enquire into the expediency of immediately organizing the inferior Courts of this State, in accordance with the provisions of the Constitution, and that they report by bill. Adopted.

On motion of Senator Wood, the Senate proceeded to the

ORDERS OF THE DAY.

A bill, to be entitled, an act authorizing the Governor of the State of Texas to cede and transfer to the United States, all the property of what description soever, embraced in and contemplated by the Joint Resolution of both Houses of the Congress of the United States, approved 1st March 1845, and the 8th section of the 13th article of the Constitution of the State of Texas. Read 3d time, and passed.

A bill, to be entitled, an act to promote the methodical transfer of the principal affairs of the Republic of Texas, to the proper authorities of the State of Texas. Read 3d time, and passed.

A bill, to be entitled, an act creating the county of Dallas. Read 2d time, and referred to the committee on County Boundaries.

A bill, to be entitled, an act authorizing the Governor to appoint a private Secretary. Read 2d time, and laid on the table.

Senator Grimes introduced a Joint Resolution, instructing our Senators, and requesting our Representatives, in the United States Congress, to use their influence to obtain an extension of the Great South Western Rail Road, through Texas, in the direction of Chihuahua. Read 1st time.